

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SHANNO O. MURPHY ESQ. SR., DBA
SHEETMETAL & ASSOCIATES,

Plaintiffs,

v.

CONOLY INSURANCE COMPANY,

Defendant.

No. 2:20-cv-0303 JAM CKD (PS)

ORDER

On August 31, 2020, the magistrate judge filed findings and recommendations (ECF. No. 6) herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. On September 16, 2020, plaintiffs filed objections to the proposed findings and recommendations (ECF. No. 7), which have been considered by the court.

This court reviews de novo those portions of the proposed findings of fact to which an objection has been made. 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982); see also Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009). As to any portion of the proposed findings of fact to which no objection has been made, the court assumes its correctness and decides the motions on the applicable law. See Orand v. United States, 602 F.2d 207, 208 (9th

1 Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi
2 Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

3 The court has reviewed the applicable legal standards and, good cause appearing,
4 concludes that it is appropriate to adopt the proposed findings and recommendations in full.

5 Accordingly, IT IS ORDERED that:

- 6 1. The Proposed Findings and Recommendations filed August 31, 2020, are ADOPTED;
- 7 2. This action is dismissed pursuant to Federal Rule of Civil Procedure 41(b);
- 8 3. The Clerk of Court is directed to close this case.

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11 DATED: December 7, 2020

/s/ John A. Mendez

12 THE HONORABLE JOHN A. MENDEZ
13 UNITED STATES DISTRICT COURT JUDGE
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